

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

BARBARA STUART ROBINSON,

Plaintiff,

V.

TACOMA COMMUNITY COLLEGE.

Defendant.

CASE NO. C12-5614 BHS

ORDER ENTERING CASE
MANAGEMENT ORDER AND
DENYING PLAINTIFF'S
MOTION TO ADMIT

This matter comes before the Court on Plaintiff Barbara Stuart Robinson's

(“Robinson”) motion to admit evidence (Dkt. 13) and review of the file.

On July 10, 2012, Robinson filed a motion to proceed *in forma pauperis*. Dkt. 1.

17 On July 13, 2012, the undersigned granted the motion (Dkt. 5) and accepted Robinson's
18 complaint (Dkt. 6). Robinson alleges that she was denied admission to Defendant
19 Tacoma Community College ("TCC") on the basis of a handicap. *Id.* In support of her
20 complaint, Robinson submitted a class add/drop form containing what appears to be the
21 signature of three instructors allowing Robinson to attend their courses. *See* Dkt. 6-1.

1 Robinson, however, alleges that she was barred from enrolling at TCC for the summer
2 quarter. Dkt. 7.

3 Based on previous lawsuits, Robinson has been declared a vexatious litigant in this
4 district. *See Robinson v. Tacoma Community College*, Cause No. C11-5151BHS (W.D.
5 Wash.), Dkt. 109. The undersigned entered a Bar Order against Robinson based upon
6 TCC's showing that Robinson's numerous filings were frivolous. *Id.*

7 On July 20, 2012, Robinson filed a motion to admit evidence. Dkt. 13.

8 "Courts of justice are universally acknowledged to be vested, by their very
9 creation, with power to impose silence, respect, and decorum, in their presence, and
10 submission to their lawful mandates." *Chambers v. NASCO, Inc.*, 501 U.S. 32, 43–46
11 (1991) (citing *Anderson v. Dunn*, 6 Wheat. 204, 227, 5 L. Ed. 242 (1821)). In the
12 exercise of its discretion under these inherent powers, the Court possesses "the ability to
13 fashion an appropriate sanction for conduct which abuses the judicial process."
14 *Chambers*, 501 U.S. at 44–45. Imposition of sanctions is appropriate for actions such as
15 the "willful disobedience of a court order." *Chambers*, 501 U.S. at 43–46. "[O]utright
16 dismissal of a lawsuit, which we had upheld in *Link [v. Wabash R. Co.*, 370 U.S. 626,
17 630–631 (1962)], is a particularly severe sanction, yet is within the court's discretion."
18 *Chambers*, 501 U.S. at 45 (citing *Roadway Express, Inc. v. Piper*, 447 U.S. 752, 765
19 (1980)).

20 In this case, the Court must act to control the management of this matter. Upon
21 review of Robinson's instant motion, the Court finds that the motion is frivolous. Based
22 on this frivolous motion and Robinson's previous interaction with this Court, the Court

1 finds that there is a need to enter a case management order and forewarn Robinson of the
2 consequences of her actions. Although there may exist a kernel of a discrimination claim
3 in Robinson's complaint, neither the Court nor TCC will be subjected to actions that
4 needlessly increase the cost of litigation or unnecessarily delay the administration of
5 justice. Therefore, not only will the Court deny Robinson's motion *sua sponte*, the Court
6 will also enter the following case management order:

- 7 1. In the event that Robinson files any subsequent motion for relief,
TCC need not respond unless the Court requests a response.
- 8 2. If Robinson continues to file frivolous motions or engages in other
actions that delay the determination of the merits of her claims, then
the Court may impose the particularly severe sanction of dismissal.

10 **IT IS SO ORDERED.**

11 Dated this 23rd day of July, 2012.

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BENJAMIN H. SETTLE
United States District Judge
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